

# EXHIBIT A

**FRITZ, GROSSWALD & WALTERS, LLC**

Karlene Rawle-Walters (Attorney ID #:021791990)

350 Main Street

West Orange NJ 07052

Phone: (973) 744-2223

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*Attorneys for Plaintiff Lendra James*

LENDRA JAMES, an individual

Plaintiff,

- against -

HACKENSACK MERIDIAN

MOUNTAINSIDE MEDICAL CENTER, a

New Jersey corporation; ARDENT HEALTH

SERVICES, a Tennessee business/corporation;

HEATHER PARICIO, an individual; DELL

OLIVER, an individual; NICOLE WILLIAMS,

an individual; VICKIE KNOX, an individual.

Defendants.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: ESSEX

DOCKET NO.

Civil Action**VERIFIED COMPLAINT  
JURY DEMAND**

The Plaintiff, LENDRA JAMES ("Plaintiff James"), by and through the undersigned attorney, Fritz, Grosswald & Walters, LLC, by way of Complaint against the above-named Defendants, hereby alleges the following:

**THE PARTIES**

1. PLAINTIFF LENDRA JAMES ("Plaintiff James"), is an individual residing at 142 Arbor Way, Stroudsburg, PA 18360 and was employed by Defendant Hackensack Meridian Mountainside Medical Center, located at 1 Bay Avenue, Montclair New Jersey, 07052.
2. DEFENDANT HACKENSACK MERIDIAN MOUNTAINSIDE MEDICAL CENTER is a business operating at 1 Bay Avenue, Montclair NJ, 07052, (Also referred herein to as "Hackensack Meridian")

3. DEFENDANT HEATHER PARICIO (“Defendant Paricio”) is the Vice President of Human Resources of Hackensack Meridian Mountainside Medical Center located at 1 Bay Avenue, Montclair NJ, 07052.
4. DEFENDANT DELL OLIVER (“Defendant Oliver”) is the Chief Nursing Officer of Hackensack Meridian Mountainside Medical Center located at 1 Bay Avenue, Montclair NJ, 07052.
5. DEFENDANT NICOLE WILLIAMS (“Defendant Williams”) is the Human Resources Business Partner, at Hackensack Meridian Mountainside Medical Center located at 1 Bay Avenue, Montclair NJ, 07052.
6. DEFENDANT ARDENT HEALTH SERVICES (“Defendant Ardent”) is the service or business that has eighty percent 80% ownership of Hackensack Meridian Mountainside Medical Center, under a Joint Venture Agreement. Ardent Health Services has corporate offices located at 1 Burton Hills Boulevard, # 250, Nashville, Tennessee 37215.
7. DEFENDANT VICKIE KNOX (“Defendant Knox”) is the Vice President of Clinical Outcomes for Defendant Ardent Health Services. Defendant Knox works for the corporate office of Ardent Health Services located at 1 Burton Hills Boulevard, # 250, Nashville, Tennessee 37215.

#### **GENERAL ALLEGATIONS**

8. Plaintiff James is a black, female who has worked for Hackensack Meridian Mountainside Medical Center from February 24, 2020 as the Director of Nursing for the 5<sup>th</sup> Floor.

9. Plaintiff James holds a master's degree in Healthcare Administration, with approximately ten (10) years of leadership experience. She supervises and oversees approximately 90 employees who care for thousands of patients a year, many of whom have life threatening medical conditions.
10. Plaintiff James handles the day-to-day operations of two nursing units. Her direct reports consist of registered nurses, nurse assistants, and unit secretaries who work on the fifth floor. Her daily responsibilities include completing payroll, schedules, performance evaluations, disciplines, educating, coaching, and mentoring and ensuring that her nursing units operate at optimal levels.
11. Plaintiff James has noted that the Defendant Hackensack Meridian, has lacked a supportive infrastructure. There is no support that includes the understanding of the required leadership style and accountability in an environment that has limited resources, structure, and competency. She has brought this deficiency to management's attention.
12. Plaintiff's ability to hold a team accountable is a critical attribute a leader should possess. However, Defendant Hackensack Meridian has not provided the resources needed by Plaintiff James and her team to ensure a supportive environment. There has been no support for the needs of the fifth floor. The staffing crisis has led to burn outs and resignations. The inability to be competitive with the current market has made it difficult to replace employees. Registered Nurses are working at 1:8 & 1:9 ratios while caring for patients suffering from COVID-19. Nurse assistants care for 1:16 patients.
13. Plaintiff James has raised these deficiencies and issues with her supervisor and chief nursing officer Defendant Dell Oliver on several occasions over the past year. Plaintiff has requested focus groups with Defendant Dell Oliver and with the Human Resources



Business Partner Defendant Nicole Williams in October of 2020, in attempts to proactively address the burn out and resignations. Unfortunately, the matters have not been addressed and the focus groups were never established.

14. Defendant Hackensack Meridian has failed to consider these recommendations made by Plaintiff James, therefore the staffing crisis, staff burn out and resignations have persisted.
15. Plaintiff James prepares performance reviews as a part of her job duties. She was pressured and harassed by Defendants Paricio, Oliver and Williams to fraudulently alter nurse's performance reviews so that the hospital could benefit financially from the CARES ACT. After completing performance evaluations, Plaintiff was told not to meet with any more employees until Defendant Williams had a chance to review each and everyone.
16. Defendants Oliver and Williams spent two days in Plaintiff James' office to coerce her into revising and improving evaluations on employees who were not performing at such a level. Defendant Dell said that there are extra funds available because of the CARES ACT so they wanted to evaluate staff at higher performance as there would be financial incentive in bonuses as well.
17. Employee performance evaluations that Plaintiff James's had completed, were changed. Plaintiff did not agree with the decision to revise her evaluations. Ms. James was retaliated against for her objections to changing performance reviews in that members of human resources pressured resigning nurses to blame their resignations on the Plaintiff. This resulted in an investigation into Plaintiff James for the high level of turnover in the hospital.

18. Plaintiff James believes, as a healthcare worker, it is important for caregivers to be competent and evaluated effectively.
19. On March 22, 2021, Dell Oliver sent Plaintiff James an email which included a Plan of Action referencing that James did not ensure staff attendance to multidisciplinary rounds while she was on vacation. This had never been established as an expectation. Plaintiff James took time off from Mar 16, 2021 to March 19, 2021, and had a covering director while on vacation, who should have been expected to ensure staff attendance. The Plan of Action included items such as balancing schedules which had not been discussed prior. The issues raised in the Plan of Action were not concerns until James objected to revising performance evaluations. The Plan of Action was an attempt to harass and retaliate against Plaintiff James for objecting to the unethical, illegal revisions of performance evaluations.
20. On or around April 15, 2021, Defendant Paricio, instigated a disagreement between Plaintiff James and human resources via email, to harass, retaliate and cause emotional distress to Plaintiff James.
21. On information and belief, Defendant Hackensack Meridian is currently in immediate jeopardy by the Department of Health due to patient complaints of inefficient care that has been provided. Changing evaluations for financial gain is unethical as nursing is a serious profession and should be evaluated accurately. The demand by these Defendants to revise the evaluations is substantial as it yields a specific danger to public health. Plaintiff James is forced to believe that she would not have been subjected to Defendant's unethical demands had she been a male.

22. There was a common theme from staff who resigned. During exit interviews, staff perception was that they were interviewed multiple times by human resources and senior leadership and understood that they wanted to hear that they were leaving because of Plaintiff James.
23. On information and belief Defendant Hackensack Meridian Mountainside Medical Center has been fined approximately two million dollars (\$ 2,000,000.00) for hospital acquired medical conditions that patients have sustained.
24. On information and belief, during a meeting where that two-million-dollar (\$ 2,000,000.00) fine was being discussed by Defendant Dell Oliver, Defendant Vicki Knox stated, *"If you guys don't do something about these fines, you're going to be picking cotton"*. Defendant Dell Oliver and half of her leadership team are black, including Plaintiff James. The inpatient nurse directors are black. Ms. Knox's statement was highly discriminatory.
25. Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, engaged in negligent hiring/ retention by allowing Defendants Paricio, Oliver, Williams, and Knox to behave in such a manner.
26. Plaintiff James faced severe emotional distress as a result of this treatment.
27. Defendant Hackensack Meridian Mountainside Medical Center and /or Ardent Health Services is vicariously liable for the actions of Defendants Paricio, Oliver, Williams, and Knox through the doctrine of respondeat superior.

**COUNT 1**

**New Jersey Conscientious Employee Protection Act N.J.S.A. §§ 34:19-1 – 34:19-8  
WHISTLE-BLOWING / RETALIATION /CONSTRUCTIVE DISCHARGE**



28. Plaintiff James repeats and realleges all the allegations above as if set forth at length herein.
29. In relevant part, the New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19-1 – 34:19-8 (hereinafter "NJ CEPA") prohibits all public and private employers from retaliating against employees who disclose, object to, or refuse to participate in certain actions that the employees reasonably believe are either illegal or in violation of public policy.
30. Defendant Paricio, Defendant Oliver and Defendant Williams, were engaged in conduct that was a violation of law or public policy by harassing Plaintiff James to revise nurse evaluations in order to take advantage of funding available under the CARES ACT.
31. Plaintiff James objected to participating in the forging of the evaluations and was retaliated against as a result.
32. Specifically, Plaintiff James faced adverse employment action when members of human resources pressured nurses to blame Plaintiff James for them leaving during their exit interviews. This resulted in an investigation into Plaintiff James for the high level of turnover in the hospital. Plaintiff James was forced to resign in large part because she was placed under clear instructions to revise and improve evaluations, on employees who were under performing, for the benefit of Defendant Hackensack Meridian, so that they could qualify for the CARES Act. This was an abuse of authority and a substantial danger to public health and a serious concern to have an incompetent employee with a competent evaluation treating patients. Plaintiff James could not condone that behavior.
33. There is a direct causal connection between Plaintiff James' objection to falsifying the nurse's evaluations for financial gain and the adverse employment action against her.



34. This conduct amounts to a violation of NJ CEPA.
35. Defendant Paricio, Defendant Oliver and Defendant Williams had the authority to control Plaintiff James' working environment. These Defendants abused that authority and violated NJ CEPA. Defendant Hackensack Meridian Mountainside Medical Center may be held liable.
36. Plaintiff was constructively discharged when she was forced to resign because she could not endure the unlawful, outrageous coercive or unconscionable acts demanded by the Defendants which violated her employment rights.
37. As a direct and proximate result of this conduct, Plaintiff James has suffered economic, consequential, and emotional damages.

WHEREFORE, Plaintiff James prays for judgment against Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, Defendant Paricio, Defendant Oliver, and Defendant Williams, for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs pursuant to N.J.S.A. 10:5-27.1.
- F. pre- and post-judgment interest on all monetary awards; and
- G. any other relief deemed just and equitable by the court.

## **COUNT 2**

### **NEGLIGENCE/ NEGLIGENCE HIRING / NEGLIGENCE RETENTION**

38. Plaintiff James repeats and realleges all of the allegations above as if set forth at length herein.

39. Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, employed Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox at the time that they committed the tortious acts and omissions alleged herein.
40. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, knew or had reason to know, or could have determined with reasonable investigation, that Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox had dangerous character traits for committing the tortious acts and omissions alleged herein, and that Defendants Paricio, Oliver and Williams were involved in a conspiracy to commit fraud to take advantage of the CARES ACT, for financial gain and that Defendant Knox's directive and statement with racial undertones and intentions was discriminatory.
41. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services could reasonably have foreseen that these Defendant's dangerous character traits and unethical behavior created a risk of harm to other persons, such as Plaintiff James and the patients of the hospital.
42. On information and belief there have been complaints in the past and internal investigations of human resources, of Hackensack Meridian Mountainside Medical Center and /or Ardent Health Services as one or more Defendants have been accused of discrimination.
43. The injuries suffered by Plaintiff James were directly and proximately caused by Defendant Paricio's, Defendant Oliver's, Defendant Williams', and Defendant Knox's dangerous character traits. Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Service are responsible for negligent hiring and retention.

44. Defendant Hackensack Meridian and/or Defendant Ardent Health Services owed a duty to the employees such as Plaintiff James to protect her from this harm. Defendants Hackensack Meridian and Ardent Health Services breached that duty, and the actions of all defendants herein constitute negligence.

WHEREFORE, Plaintiff prays for judgment against Defendants Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs to the extent permitted by law.
- F. pre- and post-judgment interest on all monetary awards; and
- G. any other relief deemed just and equitable by the court.

**COUNT 3**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

45. Plaintiff James repeats and realleges all of the allegations above as if set forth at length herein.

46. Defendant Hackensack Meridian, Defendant Paricio, Defendant Oliver and Defendant Williams engaged in extreme and outrageous conduct by subjecting Plaintiff James to pressure to commit fraud and for the various aforementioned retaliatory actions toward her, for objecting to the fraud.

47. Defendant Hackensack Meridian and/or Defendant Ardent Health Services and Defendant Knox's engaged in extreme and outrageous conduct as indicated by the racially discriminatory statement made.



48. According to the facts herein, Defendants Paricio, Oliver and Williams also acted intentionally in a fashion intended to produce emotional distress.

49. Defendants acted recklessly in a deliberate disregard of a high degree of probability that emotional distress would follow from their conduct.

50. Defendants' extreme and outrageous conduct proximately caused Plaintiff James to suffer emotional distress so severe that no reasonable person could be expected to endure it.

51. Defendants' extreme and outrageous conduct was willful and wanton.

WHEREFORE, Plaintiff prays for judgment against Defendant Hackensack Meridian Mountainside Memorial Center, Defendant Ardent Health Services, Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs to the extent permitted by law.
- F. pre- and post-judgment interest on all monetary awards; and

**COUNT 4**  
**GENDER/SEX/ RACE DISCRIMINATION /HOSTILE WORK ENVIRONMENT IN**  
**VIOLATION OF LAW AGAINST DISCRIMINATION/CONSTRUCTIVE DISCHARGE**  
**AND RETALIATION**  
**N.J.S.A. 10:5-1 *et seq.* ("NJLAD").**

52. Plaintiff repeats the allegations set forth above as if they had been set forth at length herein

53. The NJLAD, at N.J.S.A. 10:5-12(a), prohibits, among other things, employers from discriminating against employees on the basis of sex/gender/race., from creating a hostile work environment and from retaliation.



54. Defendant Hackensack Meridian and Defendant Ardent Health Services are “employers” as that term is defined in the NJLAD. The Plaintiff is a member of a protected class.

55. Defendant Hackensack Meridian, Defendant Ardent Health Services, Defendant Paricio, Defendant Oliver and Defendant Williams subjected Plaintiff James to differential treatment based upon her gender/sex/race in violation of NJLAD. Plaintiff was subjected to harassment and pressure to change evaluations because of her gender/sex and would not have otherwise endured that differential treatment but for her gender/sex. Defendant Hackensack Meridian, Defendant Ardent Health Services, Defendant Knox subjected black employees, which includes Plaintiff James, to differential treatment because of race. Defendant Knox’s statement that *“If you guys don’t do something about these fines, you’re going to be picking cotton”* is racial discrimination, offensive and unlawful and violates NJLAD.

56. The Defendants retaliated against Plaintiff James for her objections to the revision of the performance evaluations by pressuring resigning nurses to blame their resignations on the Plaintiff. and by creating a “Plan of Action” designed to harass her. The hostile, and retaliatory actions of the Defendants caused Plaintiff James to be constructively discharged from her job.

57. The NJLAD violations described herein were committed by the Defendants oppressively, willfully, and maliciously. They were sufficiently severe, or pervasive that a reasonable person would have deemed them to be hostile, abusive, intimidating, or offensive.

58. Plaintiff was constructively discharged when she was forced to resign because she could not endure the unlawful, outrageous coercive or unconscionable acts demanded by the Defendants which violated her employment rights.

59. As a direct and proximate result of Defendant's NJLAD violations, Plaintiff James suffered damages, including but not limited to, humiliation, emotional distress, mental pain and anguish,

lost wages, and continues to suffer losses in earning, job experience, retirement benefits, and other employee benefits that he would have received absent Defendant's unlawful conduct.

60. Defendant Hackensack Meridian, and Defendant Ardent Health Services are responsible for the actions of all the Defendants.

WHEREFORE, Plaintiff James demands judgment against Defendant Hackensack Meridian, Defendant Ardent Health Services, Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox and that the Court grant the following relief:

- a) Ordering Defendants to cease and desist from subjecting employees to acts of discrimination.
- (b) Ordering Defendants to submit to training and against such acts for a period of two years.
- (c) Ordering remedial relief, including but not limited to back pay, front pay, lost benefits, and interest, sufficient to make Plaintiff whole, for losses suffered because of discrimination against her as alleged in this complaint.
- (d) Awarding compensatory damages in an amount to be determined at trial.
- (e) Awarding Plaintiff punitive damages because of the intentional and willful nature of the Defendant's conduct, pursuant to N.J.S.A. 10:5-13.
- (f) Awarding costs, including Attorneys' fees, pursuant to N.J.S.A. 10:5-27.1; and
- (g) Awarding Pre and Post Judgment interest on all monetary awards.
- (h) Awarding such additional relief as the interests of justice may require.

**COUNT 5**  
**VICARIOUS LIABILITY / RESPONDEAT SUPERIOR**

61. Plaintiff James repeats and realleges all of the allegations above as if set forth at length herein.



62. Defendant Hackensack Meridian Mountainside Medical Center and /or Defendant Ardent Health Services, employed Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox at the time that they committed the tortious acts and omissions alleged herein.
63. Therefore, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services are strictly liable for the equitable damages suffered by Plaintiff James.
64. Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services are further liable for compensatory and consequential damages because Defendant Paricio, Defendant Oliver and Defendant Williams and Defendant Knox committed the tortious acts and omissions alleged herein within the scope of their employment relationship with Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services.
65. Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox committed the tortious acts and omissions alleged herein substantially within the time and space limits authorized by their employment with Defendant Hackensack Meridian Mountainside Medical Center and/or Defendant Ardent Health Services.
66. The tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox were actuated in part by a purpose to serve Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services.
67. Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services either intended for Defendant Paricio, Defendant Oliver, Defendant

Williams, and Defendant Knox to commit the tortious acts and omissions alleged herein, or acted with recklessness, or failed to exercise reasonable care, in supervising these Defendants.

68. The tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox were clothed with the appearance of authority.

69. Plaintiff James reasonably relied on that apparent authority.

70. At all relevant times, Defendant Hackensack Meridian Mountainside Medical Center and/or Defendant Ardent Health Services retained control over the manner and means of the work that Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox did on their behalf.

71. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services knew or should have known of its ability to control Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox, and of the necessity and opportunity for exercising such control.

72. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services failed to exercise reasonable care so as to control Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox as to prevent them from intentionally harming others or from creating an unreasonable risk of harm to others.

73. The tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox took place on premises which they were privileged to enter as a result of their employment relationship with Defendant



Hackensack Meridian Mountainside Medical Center and/or Defendant Ardent Health Services.

74. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services demonstrated willful indifference towards the tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox.

75. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services knew, or had reason to know, or could have determined with reasonable investigation, that Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox had dangerous character traits for committing the tortious acts and omissions alleged herein, in that Defendants had been known to behave unethically and unlawfully.

76. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services could reasonably have foreseen that Defendant Paricio, Defendant Oliver, Defendant Williams' and Defendant Knox's dangerous character traits created a risk of harm to other persons, such as Plaintiff James.

77. The injuries suffered by Plaintiff James were directly and proximately caused by Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox's dangerous character traits.

78. For all of the foregoing reasons, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services are vicariously and directly liable to Plaintiff James for all of her damages, by operation of the doctrine of respondeat superior.

WHEREFORE, Plaintiff prays for judgment against Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs to the extent permitted by law.
- F. pre- and post-judgment interest on all monetary awards; and
- G. any other relief deemed just and equitable by the court.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**JURY DEMAND**

Plaintiff hereby demands trial by jury on all of the triable issues of this Complaint, pursuant to R. 1:8-1(b) and R. 4:35-1(a).

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**RULE 4:5-1(b)(2) CERTIFICATION**

Pursuant to R. 4:5-1(b)(2), the undersigned counsel hereby certifies that to the best of counsel's knowledge and belief, the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding, and no other action or arbitration proceeding is contemplated. Other than the parties set forth in this pleading, counsel knows of no other parties that should be joined in this action. Counsel recognizes the continuing obligation of each party to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this certification.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**DEMAND FOR DISCOVERY OF INSURANCE COVERAGE**

Pursuant to New Jersey Court Rule 4:10-2(b), demand is hereby made that defendants disclose to the Plaintiff's Attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business, may be liable to satisfy part or all of a judgment which may be entered in this action, or indemnify or reimburse for payments made to satisfy the judgment, and provide Plaintiff's Attorney with true copies of those insurance policies or agreements. This Demand shall include and cover not only primary coverage but also any and all excess and umbrella policies.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**TRIAL COUNSEL DESIGNATION**

Pursuant to R. 4:5-1(c), Karlene Rawle-Walters Esq., is designated as trial counsel for Plaintiff in the above matter.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.



**VERIFICATION**

I verify that the facts set forth in the foregoing Complaint are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 4/30/2021

DocuSigned by:  
*Lendra James*  
3C88074F5B894E0...  
Lendra James, Plaintiff

## SUMMONS

Attorney(s) Fritz, Grosswald & Walters, LLC  
Office Address 350 Main St.  
Town, State, Zip Code West Orange, NJ 07052  
Telephone Number 973-744-2223  
Attorney(s) for Plaintiff Karlene Rawle-Walters Esq.  
LENDRA JAMES

Plaintiff(s)

vs.

Hackensack Meridian Mountainside  
Medical Center, a NJ Corporation; et al  
Defendant(s)

## Superior Court of New Jersey

Essex County  
Law Division

Docket No: \_\_\_\_\_


## CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).



Clerk of the Superior Court

DATED: 04/30/2021

Name of Defendant to Be Served: Hackensack Meridian Mountainside Medical Center

Address of Defendant to Be Served: 1 Bay Avenue, Montclair, New Jersey 07052



## SUMMONS

Attorney(s) Fritz, Grosswald & Walters, LLC  
Office Address 350 Main St.  
Town, State, Zip Code West Orange, NJ 07052  
Telephone Number 973-744-2223  
Attorney(s) for Plaintiff Karlene Rawle-Walters Esq.  
LENDRA JAMES

Plaintiff(s)

vs.

Hackensack Meridian Mountainside  
Medical Center, a NJ Corporation; et al  
Defendant(s)

## Superior Court of New Jersey

Essex County  
Law Division

Docket No: \_\_\_\_\_

## CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).



Clerk of the Superior Court

DATED: 04/30/2021

Name of Defendant to Be Served: Nicole Williams

Address of Defendant to Be Served: 1 Bay Avenue, Montclair, New Jersey 07052



## SUMMONS

Attorney(s) Fritz, Grosswald & Walters, LLC  
Office Address 350 Main St.  
Town, State, Zip Code West Orange, NJ 07052  
Telephone Number 973-744-2223  
Attorney(s) for Plaintiff Karlene Rawle-Walters Esq.  
LENDRA JAMES

Plaintiff(s)

vs.

Hackensack Meridian Mountainside  
Medical Center, a NJ Corporation; et al  
Defendant(s)

## Superior Court of New Jersey

Essex County  
Law Division

Docket No: \_\_\_\_\_

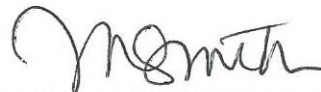
## CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).



Clerk of the Superior Court

DATED: 04/30/2021

Name of Defendant to Be Served: Dell Oliver

Address of Defendant to Be Served: 1 Bay Avenue, Montclair, New Jersey 07052

## SUMMONS

Attorney(s) Fritz, Grosswald & Walters, LLC  
Office Address 350 Main St.  
Town, State, Zip Code West Orange, NJ 07052  
Telephone Number 973-744-2223  
Attorney(s) for Plaintiff Karlene Rawle-Walters Esq.  
LENDRA JAMES

Plaintiff(s)

vs.

Hackensack Meridian Mountainside  
Medical Center, a NJ Corporation; et al  
Defendant(s)

## Superior Court of New Jersey

Essex County  
Law Division

Docket No: \_\_\_\_\_

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Clerk of the Superior Court

DATED: 04/30/2021

Name of Defendant to Be Served: Heather Paricio

Address of Defendant to Be Served: 1 Bay Avenue, Montclair, New Jersey 07052



## SUMMONS

Attorney(s) Fritz, Grosswald & Walters, LLC  
Office Address 350 Main St.  
Town, State, Zip Code West Orange, NJ 07052  
  
Telephone Number 973-744-2223  
Attorney(s) for Plaintiff Karlene Rawle-Walters Esq.  
LENDRA JAMES

Plaintiff(s)

vs.

Hackensack Meridian Mountainside  
Medical Center, a NJ Corporation; et al  
Defendant(s)

## Superior Court of New Jersey

Essex County  
Law Division

Docket No: \_\_\_\_\_

## CIVIL ACTION SUMMONS

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Clerk of the Superior Court

DATED: 04/30/2021

Name of Defendant to Be Served: Ardent Health Services

Address of Defendant to Be Served: 1 Burton Hills Boulevard, # 250, Nashville Tennessee 37215



**SUMMONS**

Attorney(s) Fritz, Grosswald & Walters, LLC  
Office Address 350 Main St.  
Town, State, Zip Code West Orange, NJ 07052  
\_\_\_\_\_  
Telephone Number 973-744-2223  
Attorney(s) for Plaintiff Karlene Rawle-Walters Esq.  
LENDRA JAMES

\_\_\_\_\_  
Plaintiff(s)

vs.

Hackensack Meridian Mountainside  
Medical Center, a NJ Corporation; et al  
\_\_\_\_\_  
Defendant(s)

**Superior Court of  
New Jersey**

Essex County  
Law Division

Docket No: \_\_\_\_\_

**CIVIL ACTION  
SUMMONS**

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The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.njcourts.gov/forms/10153\\_deptyclerklawref.pdf](http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf).) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

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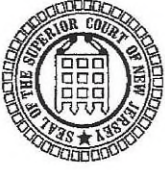


  
\_\_\_\_\_  
Clerk of the Superior Court

DATED: 04/30/2021

Name of Defendant to Be Served: Vickie Knox

Address of Defendant to Be Served: 1 Burton Hills Boulevard, # 250, Nashville Tennessee 37215



	<h2 style="margin: 0;">Civil Case Information Statement</h2> <h3 style="margin: 0;">(CIS)</h3> <p style="margin: 5px 0 0 0;">Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> <b>Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</b></p>		For Use by Clerk's Office Only Payment type: <input type="checkbox"/> ck <input type="checkbox"/> cg <input type="checkbox"/> ca Chg/Ck Number: _____ Amount: _____ Overpayment: _____ Batch Number: _____			
	Attorney/Pro Se Name		Telephone Number		County of Venue	
	Karlene Rawle-Walters Esq.		(973) 744-2223		Essex	
	Firm Name (if applicable)		Docket Number (when available)			
Fritz, Grosswald & Walters, LLC						
Office Address		Document Type				
350 Main Street		Verified Complaint				
West Orange, NJ 07052		Jury Demand <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
Name of Party (e.g., John Doe, Plaintiff)		Caption				
LENDRA JAMES		Lendra James vs. Hackensack Meridian Mountainside Medical Center,				
Plaintiff		a NJ Corporation; Ardent Health Services; Heather Paricio; Dell Oliver;				
		Nicile Williams; Vickie Knox				
Case Type Number (See reverse side for listing)	Are sexual abuse claims alleged?	Is this a professional malpractice case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
618	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If you have checked "Yes," see <i>N.J.S.A. 2A:53A-27</i> and applicable case law regarding your obligation to file an affidavit of merit.				
Related Cases Pending?		If "Yes," list docket numbers				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
Do you anticipate adding any parties (arising out of same transaction or occurrence)?		Name of defendant's primary insurance company (if known)				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> None <input checked="" type="checkbox"/> Unknown				
The Information Provided on This Form Cannot be Introduced into Evidence.						
Case Characteristics for Purposes of Determining if Case is Appropriate for Mediation						
Do parties have a current, past or recurrent relationship?		If "Yes," is that relationship:				
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> Employer/Employee <input type="checkbox"/> Friend/Neighbor <input type="checkbox"/> Other (explain) <input type="checkbox"/> Familial <input type="checkbox"/> Business				
Does the statute governing this case provide for payment of fees by the losing party? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition						
 Do you or your client need any disability accommodations?		If yes, please identify the requested accommodation:				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
Will an interpreter be needed?		If yes, for what language?				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .						
Attorney Signature: 						



Side 2



# Civil Case Information Statement (CIS)

Use for initial pleadings (not motions) under *Rule* 4:5-1

**CASE TYPES** (Choose one and enter number of case type in appropriate space on the reverse side.)

## Track I - 150 days discovery

- |  |   |
|--|---|
| 151 Name Change  | 506 PIP Coverage                              |
| 175 Forfeiture   | 510 UM or UIM Claim (coverage issues only)    |
| 302 Tenancy  | 511 Action on Negotiable Instrument           |
| 399 Real Property (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction) | 512 Lemon Law                                 |
| 502 Book Account (debt collection matters only)  | 801 Summary Action                            |
| 505 Other Insurance Claim (including declaratory judgment actions)                                 | 802 Open Public Records Act (summary action)  |
|  | 999 Other (briefly describe nature of action) |

## Track II - 300 days discovery

- |   |   |
|---|---|
| 305 Construction  | 603Y Auto Negligence – Personal Injury (verbal threshold) |
| 509 Employment (other than Conscientious Employees Protection Act (CEPA) or Law Against Discrimination (LAD)) | 605 Personal Injury                                       |
| 599 Contract/Commercial Transaction   | 610 Auto Negligence – Property Damage                     |
| 603N Auto Negligence – Personal Injury (non-verbal threshold)   | 621 UM or UIM Claim (includes bodily injury)              |
|   | 699 Tort – Other  |

## Track III - 450 days discovery

- |                              |  |
|------------------------------|--|
| 005 Civil Rights             | 608 Toxic Tort   |
| 301 Condemnation             | 609 Defamation   |
| 602 Assault and Battery      | 616 Whistleblower / Conscientious Employee Protection Act (CEPA) Cases |
| 604 Medical Malpractice      | 617 Inverse Condemnation   |
| 606 Product Liability        | 618 Law Against Discrimination (LAD) Cases                             |
| 607 Professional Malpractice |  |

## Track IV - Active Case Management by Individual Judge / 450 days discovery

- |   |  |
|---|--|
| 156 Environmental/Environmental Coverage Litigation | 514 Insurance Fraud                      |
| 303 Mt. Laurel                                      | 620 False Claims Act                     |
| 508 Complex Commercial                              | 701 Actions in Lieu of Prerogative Writs |
| 513 Complex Construction                            |  |

## Multicounty Litigation (Track IV)

- |   |   |
|---|---|
| 271 Accutane/Isotretinoin                                 | 601 Asbestos                                  |
| 274 Risperdal/Seroquel/Zyprexa                            | 623 Propecia                                  |
| 281 Bristol-Myers Squibb Environmental                    | 624 Stryker LFIT CoCr V40 Femoral Heads       |
| 282 Fosamax   | 625 Firefighter Hearing Loss Litigation       |
| 285 Stryker Trident Hip Implants                          | 626 Abilify                                   |
| 286 Levaquin  | 627 Physiomesh Flexible Composite Mesh        |
| 289 Reglan  | 628 Taxotere/Docetaxel                        |
| 291 Pelvic Mesh/Gynecare                                  | 629 Zostavax                                  |
| 292 Pelvic Mesh/Bard                                      | 630 Proceed Mesh/Patch                        |
| 293 DePuy ASR Hip Implant Litigation                      | 631 Proton-Pump Inhibitors                    |
| 295 AlloDerm Regenerative Tissue Matrix                   | 632 HealthPlus Surgery Center                 |
| 296 Stryker Rejuvenate/ABG II Modular Hip Stem Components | 633 Prolene Hernia System Mesh                |
| 297 Mirena Contraceptive Device                           | 634 Allergan Biocell Textured Breast Implants |
| 299 Olmesartan Medoxomil Medications/Benicar              |   |
| 300 Talc-Based Body Powders                               |   |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59 ☐ Consumer Fraud



**FRITZ, GROSSWALD & WALTERS, LLC**

Karlene Rawle-Walters (Attorney ID #:021791990)

350 Main Street

West Orange NJ 07052

Phone: (973) 744-2223

Fax: (973) 744-0719

*Attorneys for Plaintiff Lendra James*

LENDRA JAMES, an individual

Plaintiff,

- against -

HACKENSACK MERIDIAN

MOUNTAINSIDE MEDICAL CENTER, a

New Jersey corporation; ARDENT HEALTH

SERVICES, a Tennessee business/corporation;

HEATHER PARICIO, an individual; DELL

OLIVER, an individual; NICOLE WILLIAMS,

an individual; VICKIE KNOX, an individual.

Defendants.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: ESSEX

DOCKET NO.

Civil Action**VERIFIED COMPLAINT  
JURY DEMAND**

The Plaintiff, LENDRA JAMES ("Plaintiff James"), by and through the undersigned attorney, Fritz, Grosswald & Walters, LLC, by way of Complaint against the above-named Defendants, hereby alleges the following:

**THE PARTIES**

1. PLAINTIFF LENDRA JAMES ("Plaintiff James"), is an individual residing at 142 Arbor Way, Stroudsburg, PA 18360 and was employed by Defendant Hackensack Meridian Mountainside Medical Center, located at 1 Bay Avenue, Montclair New Jersey, 07052.
2. DEFENDANT HACKENSACK MERIDIAN MOUNTAINSIDE MEDICAL CENTER is a business operating at 1 Bay Avenue, Montclair NJ, 07052, (Also referred herein to as "Hackensack Meridian")

3. DEFENDANT HEATHER PARICIO (“Defendant Paricio”) is the Vice President of Human Resources of Hackensack Meridian Mountainside Medical Center located at 1 Bay Avenue, Montclair NJ, 07052.
4. DEFENDANT DELL OLIVER (“Defendant Oliver”) is the Chief Nursing Officer of Hackensack Meridian Mountainside Medical Center located at 1 Bay Avenue, Montclair NJ, 07052.
5. DEFENDANT NICOLE WILLIAMS (“Defendant Williams”) is the Human Resources Business Partner, at Hackensack Meridian Mountainside Medical Center located at 1 Bay Avenue, Montclair NJ, 07052.
6. DEFENDANT ARDENT HEALTH SERVICES (“Defendant Ardent”) is the service or business that has eighty percent 80% ownership of Hackensack Meridian Mountainside Medical Center, under a Joint Venture Agreement. Ardent Health Services has corporate offices located at 1 Burton Hills Boulevard, # 250, Nashville, Tennessee 37215.
7. DEFENDANT VICKIE KNOX (“Defendant Knox”) is the Vice President of Clinical Outcomes for Defendant Ardent Health Services. Defendant Knox works for the corporate office of Ardent Health Services located at 1 Burton Hills Boulevard, # 250, Nashville, Tennessee 37215.

#### **GENERAL ALLEGATIONS**

8. Plaintiff James is a black, female who has worked for Hackensack Meridian Mountainside Medical Center from February 24, 2020 as the Director of Nursing for the 5<sup>th</sup> Floor.

9. Plaintiff James holds a master's degree in Healthcare Administration, with approximately ten (10) years of leadership experience. She supervises and oversees approximately 90 employees who care for thousands of patients a year, many of whom have life threatening medical conditions.
10. Plaintiff James handles the day-to-day operations of two nursing units. Her direct reports consist of registered nurses, nurse assistants, and unit secretaries who work on the fifth floor. Her daily responsibilities include completing payroll, schedules, performance evaluations, disciplines, educating, coaching, and mentoring and ensuring that her nursing units operate at optimal levels.
11. Plaintiff James has noted that the Defendant Hackensack Meridian, has lacked a supportive infrastructure. There is no support that includes the understanding of the required leadership style and accountability in an environment that has limited resources, structure, and competency. She has brought this deficiency to management's attention.
12. Plaintiff's ability to hold a team accountable is a critical attribute a leader should possess. However, Defendant Hackensack Meridian has not provided the resources needed by Plaintiff James and her team to ensure a supportive environment. There has been no support for the needs of the fifth floor. The staffing crisis has led to burn outs and resignations. The inability to be competitive with the current market has made it difficult to replace employees. Registered Nurses are working at 1:8 & 1:9 ratios while caring for patients suffering from COVID-19. Nurse assistants care for 1:16 patients.
13. Plaintiff James has raised these deficiencies and issues with her supervisor and chief nursing officer Defendant Dell Oliver on several occasions over the past year. Plaintiff has requested focus groups with Defendant Dell Oliver and with the Human Resources



Business Partner Defendant Nicole Williams in October of 2020, in attempts to proactively address the burn out and resignations. Unfortunately, the matters have not been addressed and the focus groups were never established.

14. Defendant Hackensack Meridian has failed to consider these recommendations made by Plaintiff James, therefore the staffing crisis, staff burn out and resignations have persisted.
15. Plaintiff James prepares performance reviews as a part of her job duties. She was pressured and harassed by Defendants Paricio, Oliver and Williams to fraudulently alter nurse's performance reviews so that the hospital could benefit financially from the CARES ACT. After completing performance evaluations, Plaintiff was told not to meet with any more employees until Defendant Williams had a chance to review each and everyone.
16. Defendants Oliver and Williams spent two days in Plaintiff James' office to coerce her into revising and improving evaluations on employees who were not performing at such a level. Defendant Dell said that there are extra funds available because of the CARES ACT so they wanted to evaluate staff at higher performance as there would be financial incentive in bonuses as well.
17. Employee performance evaluations that Plaintiff James's had completed, were changed. Plaintiff did not agree with the decision to revise her evaluations. Ms. James was retaliated against for her objections to changing performance reviews in that members of human resources pressured resigning nurses to blame their resignations on the Plaintiff. This resulted in an investigation into Plaintiff James for the high level of turnover in the hospital.

18. Plaintiff James believes, as a healthcare worker, it is important for caregivers to be competent and evaluated effectively.
19. On March 22, 2021, Dell Oliver sent Plaintiff James an email which included a Plan of Action referencing that James did not ensure staff attendance to multidisciplinary rounds while she was on vacation. This had never been established as an expectation. Plaintiff James took time off from Mar 16, 2021 to March 19, 2021, and had a covering director while on vacation, who should have been expected to ensure staff attendance. The Plan of Action included items such as balancing schedules which had not been discussed prior. The issues raised in the Plan of Action were not concerns until James objected to revising performance evaluations. The Plan of Action was an attempt to harass and retaliate against Plaintiff James for objecting to the unethical, illegal revisions of performance evaluations.
20. On or around April 15, 2021, Defendant Paricio, instigated a disagreement between Plaintiff James and human resources via email, to harass, retaliate and cause emotional distress to Plaintiff James.
21. On information and belief, Defendant Hackensack Meridian is currently in immediate jeopardy by the Department of Health due to patient complaints of inefficient care that has been provided. Changing evaluations for financial gain is unethical as nursing is a serious profession and should be evaluated accurately. The demand by these Defendants to revise the evaluations is substantial as it yields a specific danger to public health. Plaintiff James is forced to believe that she would not have been subjected to Defendant's unethical demands had she been a male.

22. There was a common theme from staff who resigned. During exit interviews, staff perception was that they were interviewed multiple times by human resources and senior leadership and understood that they wanted to hear that they were leaving because of Plaintiff James.
23. On information and belief Defendant Hackensack Meridian Mountainside Medical Center has been fined approximately two million dollars (\$ 2,000,000.00) for hospital acquired medical conditions that patients have sustained.
24. On information and belief, during a meeting where that two-million-dollar (\$ 2,000,000.00) fine was being discussed by Defendant Dell Oliver, Defendant Vicki Knox stated, *"If you guys don't do something about these fines, you're going to be picking cotton"*. Defendant Dell Oliver and half of her leadership team are black, including Plaintiff James. The inpatient nurse directors are black. Ms. Knox's statement was highly discriminatory.
25. Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, engaged in negligent hiring/ retention by allowing Defendants Paricio, Oliver, Williams, and Knox to behave in such a manner.
26. Plaintiff James faced severe emotional distress as a result of this treatment.
27. Defendant Hackensack Meridian Mountainside Medical Center and /or Ardent Health Services is vicariously liable for the actions of Defendants Paricio, Oliver, Williams, and Knox through the doctrine of respondeat superior.

### **COUNT 1**

**New Jersey Conscientious Employee Protection Act N.J.S.A. §§ 34:19-1 – 34:19-8  
WHISTLE-BLOWING / RETALIATION /CONSTRUCTIVE DISCHARGE**



28. Plaintiff James repeats and realleges all the allegations above as if set forth at length herein.
29. In relevant part, the New Jersey Conscientious Employee Protection Act, N.J.S.A. 34:19-1 – 34:19-8 (hereinafter "NJ CEPA") prohibits all public and private employers from retaliating against employees who disclose, object to, or refuse to participate in certain actions that the employees reasonably believe are either illegal or in violation of public policy.
30. Defendant Paricio, Defendant Oliver and Defendant Williams, were engaged in conduct that was a violation of law or public policy by harassing Plaintiff James to revise nurse evaluations in order to take advantage of funding available under the CARES ACT.
31. Plaintiff James objected to participating in the forging of the evaluations and was retaliated against as a result.
32. Specifically, Plaintiff James faced adverse employment action when members of human resources pressured nurses to blame Plaintiff James for them leaving during their exit interviews. This resulted in an investigation into Plaintiff James for the high level of turnover in the hospital. Plaintiff James was forced to resign in large part because she was placed under clear instructions to revise and improve evaluations, on employees who were under performing, for the benefit of Defendant Hackensack Meridian, so that they could qualify for the CARES Act. This was an abuse of authority and a substantial danger to public health and a serious concern to have an incompetent employee with a competent evaluation treating patients. Plaintiff James could not condone that behavior.
33. There is a direct causal connection between Plaintiff James' objection to falsifying the nurse's evaluations for financial gain and the adverse employment action against her.

34. This conduct amounts to a violation of NJ CEPA.
35. Defendant Paricio, Defendant Oliver and Defendant Williams had the authority to control Plaintiff James' working environment. These Defendants abused that authority and violated NJ CEPA. Defendant Hackensack Meridian Mountainside Medical Center may be held liable.
36. Plaintiff was constructively discharged when she was forced to resign because she could not endure the unlawful, outrageous coercive or unconscionable acts demanded by the Defendants which violated her employment rights.
37. As a direct and proximate result of this conduct, Plaintiff James has suffered economic, consequential, and emotional damages.

WHEREFORE, Plaintiff James prays for judgment against Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, Defendant Paricio, Defendant Oliver, and Defendant Williams, for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs pursuant to N.J.S.A. 10:5-27.1.
- F. pre- and post-judgment interest on all monetary awards; and
- G. any other relief deemed just and equitable by the court.

**COUNT 2**  
**NEGLIGENCE/ NEGLIGENCE HIRING / NEGLIGENCE RETENTION**

38. Plaintiff James repeats and realleges all of the allegations above as if set forth at length herein.



39. Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, employed Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox at the time that they committed the tortious acts and omissions alleged herein.
40. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services, knew or had reason to know, or could have determined with reasonable investigation, that Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox had dangerous character traits for committing the tortious acts and omissions alleged herein, and that Defendants Paricio, Oliver and Williams were involved in a conspiracy to commit fraud to take advantage of the CARES ACT, for financial gain and that Defendant Knox's directive and statement with racial undertones and intentions was discriminatory.
41. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services could reasonably have foreseen that these Defendant's dangerous character traits and unethical behavior created a risk of harm to other persons, such as Plaintiff James and the patients of the hospital.
42. On information and belief there have been complaints in the past and internal investigations of human resources, of Hackensack Meridian Mountainside Medical Center and /or Ardent Health Services as one or more Defendants have been accused of discrimination.
43. The injuries suffered by Plaintiff James were directly and proximately caused by Defendant Paricio's, Defendant Oliver's, Defendant Williams', and Defendant Knox's dangerous character traits. Defendant Hackensack Meridian Mountainside Medical Center and/or Ardent Health Service are responsible for negligent hiring and retention.

44. Defendant Hackensack Meridian and/or Defendant Ardent Health Services owed a duty to the employees such as Plaintiff James to protect her from this harm. Defendants Hackensack Meridian and Ardent Health Services breached that duty, and the actions of all defendants herein constitute negligence.

WHEREFORE, Plaintiff prays for judgment against Defendants Hackensack Meridian Mountainside Medical Center and/or Ardent Health Services for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs to the extent permitted by law.
- F. pre- and post-judgment interest on all monetary awards; and
- G. any other relief deemed just and equitable by the court.

**COUNT 3**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

45. Plaintiff James repeats and realleges all of the allegations above as if set forth at length herein.

46. Defendant Hackensack Meridian, Defendant Paricio, Defendant Oliver and Defendant Williams engaged in extreme and outrageous conduct by subjecting Plaintiff James to pressure to commit fraud and for the various aforementioned retaliatory actions toward her, for objecting to the fraud.

47. Defendant Hackensack Meridian and/or Defendant Ardent Health Services and Defendant Knox's engaged in extreme and outrageous conduct as indicated by the racially discriminatory statement made.



48. According to the facts herein, Defendants Paricio, Oliver and Williams also acted intentionally in a fashion intended to produce emotional distress.

49. Defendants acted recklessly in a deliberate disregard of a high degree of probability that emotional distress would follow from their conduct.

50. Defendants' extreme and outrageous conduct proximately caused Plaintiff James to suffer emotional distress so severe that no reasonable person could be expected to endure it.

51. Defendants' extreme and outrageous conduct was willful and wanton.

WHEREFORE, Plaintiff prays for judgment against Defendant Hackensack Meridian Mountainside Memorial Center, Defendant Ardent Health Services, Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs to the extent permitted by law.
- F. pre- and post-judgment interest on all monetary awards; and

**COUNT 4**  
**GENDER/SEX/ RACE DISCRIMINATION /HOSTILE WORK ENVIRONMENT IN**  
**VIOLATION OF LAW AGAINST DISCRIMINATION/CONSTRUCTIVE DISCHARGE**  
**AND RETALIATION**  
**N.J.S.A. 10:5-1 *et seq.* ("NJLAD").**

52. Plaintiff repeats the allegations set forth above as if they had been set forth at length herein

53. The NJLAD, at N.J.S.A. 10:5-12(a), prohibits, among other things, employers from discriminating against employees on the basis of sex/gender/race., from creating a hostile work environment and from retaliation.

54. Defendant Hackensack Meridian and Defendant Ardent Health Services are “employers” as that term is defined in the NJLAD. The Plaintiff is a member of a protected class.

55. Defendant Hackensack Meridian, Defendant Ardent Health Services, Defendant Paricio, Defendant Oliver and Defendant Williams subjected Plaintiff James to differential treatment based upon her gender/sex/race in violation of NJLAD. Plaintiff was subjected to harassment and pressure to change evaluations because of her gender/sex and would not have otherwise endured that differential treatment but for her gender/sex. Defendant Hackensack Meridian, Defendant Ardent Health Services, Defendant Knox subjected black employees, which includes Plaintiff James, to differential treatment because of race. Defendant Knox’s statement that *“If you guys don’t do something about these fines, you’re going to be picking cotton”* is racial discrimination, offensive and unlawful and violates NJLAD.

56. The Defendants retaliated against Plaintiff James for her objections to the revision of the performance evaluations by pressuring resigning nurses to blame their resignations on the Plaintiff. and by creating a “Plan of Action” designed to harass her. The hostile, and retaliatory actions of the Defendants caused Plaintiff James to be constructively discharged from her job.

57. The NJLAD violations described herein were committed by the Defendants oppressively, willfully, and maliciously. They were sufficiently severe, or pervasive that a reasonable person would have deemed them to be hostile, abusive, intimidating, or offensive.

58. Plaintiff was constructively discharged when she was forced to resign because she could not endure the unlawful, outrageous coercive or unconscionable acts demanded by the Defendants which violated her employment rights.

59. As a direct and proximate result of Defendant's NJLAD violations, Plaintiff James suffered damages, including but not limited to, humiliation, emotional distress, mental pain and anguish,

lost wages, and continues to suffer losses in earning, job experience, retirement benefits, and other employee benefits that he would have received absent Defendant's unlawful conduct.

60. Defendant Hackensack Meridian, and Defendant Ardent Health Services are responsible for the actions of all the Defendants.

WHEREFORE, Plaintiff James demands judgment against Defendant Hackensack Meridian, Defendant Ardent Health Services, Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox and that the Court grant the following relief:

- a) Ordering Defendants to cease and desist from subjecting employees to acts of discrimination.
- (b) Ordering Defendants to submit to training and against such acts for a period of two years.
- (c) Ordering remedial relief, including but not limited to back pay, front pay, lost benefits, and interest, sufficient to make Plaintiff whole, for losses suffered because of discrimination against her as alleged in this complaint.
- (d) Awarding compensatory damages in an amount to be determined at trial.
- (e) Awarding Plaintiff punitive damages because of the intentional and willful nature of the Defendant's conduct, pursuant to N.J.S.A. 10:5-13.
- (f) Awarding costs, including Attorneys' fees, pursuant to N.J.S.A. 10:5-27.1; and
- (g) Awarding Pre and Post Judgment interest on all monetary awards.
- (h) Awarding such additional relief as the interests of justice may require.

**COUNT 5**  
**VICARIOUS LIABILITY / RESPONDEAT SUPERIOR**

61. Plaintiff James repeats and realleges all of the allegations above as if set forth at length herein.



62. Defendant Hackensack Meridian Mountainside Medical Center and /or Defendant Ardent Health Services, employed Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox at the time that they committed the tortious acts and omissions alleged herein.
63. Therefore, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services are strictly liable for the equitable damages suffered by Plaintiff James.
64. Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services are further liable for compensatory and consequential damages because Defendant Paricio, Defendant Oliver and Defendant Williams and Defendant Knox committed the tortious acts and omissions alleged herein within the scope of their employment relationship with Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services.
65. Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox committed the tortious acts and omissions alleged herein substantially within the time and space limits authorized by their employment with Defendant Hackensack Meridian Mountainside Medical Center and/or Defendant Ardent Health Services.
66. The tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox were actuated in part by a purpose to serve Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services.
67. Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services either intended for Defendant Paricio, Defendant Oliver, Defendant

Williams, and Defendant Knox to commit the tortious acts and omissions alleged herein, or acted with recklessness, or failed to exercise reasonable care, in supervising these Defendants.

68. The tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox were clothed with the appearance of authority.

69. Plaintiff James reasonably relied on that apparent authority.

70. At all relevant times, Defendant Hackensack Meridian Mountainside Medical Center and/or Defendant Ardent Health Services retained control over the manner and means of the work that Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox did on their behalf.

71. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services knew or should have known of its ability to control Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox, and of the necessity and opportunity for exercising such control.

72. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services failed to exercise reasonable care so as to control Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox as to prevent them from intentionally harming others or from creating an unreasonable risk of harm to others.

73. The tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox took place on premises which they were privileged to enter as a result of their employment relationship with Defendant

Hackensack Meridian Mountainside Medical Center and/or Defendant Ardent Health Services.

74. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services demonstrated willful indifference towards the tortious acts and omissions committed by Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox.
75. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services knew, or had reason to know, or could have determined with reasonable investigation, that Defendant Paricio, Defendant Oliver, Defendant Williams and Defendant Knox had dangerous character traits for committing the tortious acts and omissions alleged herein, in that Defendants had been known to behave unethically and unlawfully.
76. On information and belief, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services could reasonably have foreseen that Defendant Paricio, Defendant Oliver, Defendant Williams' and Defendant Knox's dangerous character traits created a risk of harm to other persons, such as Plaintiff James.
77. The injuries suffered by Plaintiff James were directly and proximately caused by Defendant Paricio, Defendant Oliver, Defendant Williams, and Defendant Knox's dangerous character traits.
78. For all of the foregoing reasons, Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services are vicariously and directly liable to Plaintiff James for all of her damages, by operation of the doctrine of respondeat superior.



WHEREFORE, Plaintiff prays for judgment against Defendant Hackensack Meridian Mountainside Medical Center and Defendant Ardent Health Services for the following:

- A. compensatory damages.
- B. consequential damages.
- C. back pay.
- D. punitive damages.
- E. reasonable attorney's fees and costs to the extent permitted by law.
- F. pre- and post-judgment interest on all monetary awards; and
- G. any other relief deemed just and equitable by the court.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**JURY DEMAND**

Plaintiff hereby demands trial by jury on all of the triable issues of this Complaint, pursuant to R. 1:8-1(b) and R. 4:35-1(a).

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**RULE 4:5-1(b)(2) CERTIFICATION**

Pursuant to R. 4:5-1(b)(2), the undersigned counsel hereby certifies that to the best of counsel's knowledge and belief, the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding, and no other action or arbitration proceeding is contemplated. Other than the parties set forth in this pleading, counsel knows of no other parties that should be joined in this action. Counsel recognizes the continuing obligation of each party to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this certification.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**DEMAND FOR DISCOVERY OF INSURANCE COVERAGE**

Pursuant to New Jersey Court Rule 4:10-2(b), demand is hereby made that defendants disclose to the Plaintiff's Attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business, may be liable to satisfy part or all of a judgment which may be entered in this action, or indemnify or reimburse for payments made to satisfy the judgment, and provide Plaintiff's Attorney with true copies of those insurance policies or agreements. This Demand shall include and cover not only primary coverage but also any and all excess and umbrella policies.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.

**TRIAL COUNSEL DESIGNATION**

Pursuant to R. 4:5-1(c), Karlene Rawle-Walters Esq., is designated as trial counsel for Plaintiff in the above matter.

Dated: 4/30/2021

FRITZ, GROSSWALD & WALTERS, LLC  
Attorneys for Plaintiff

*s/ Karlene Rawle-Walters*

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Karlene Rawle-Walters Esq.



**VERIFICATION**

I verify that the facts set forth in the foregoing Complaint are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 4/30/2021

DocuSigned by:  
*Lendra James*  
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Lendra James, Plaintiff